



07/003,822

DA-C\$

Docket No.: 249350US

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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SEP 07 2004

OFFICE OF PETITIONS

OBLON
SPIVAK
McCLELLAND
MAIER
& NEUSTADT
P.C.
ATTORNEYS AT LAW

RE: U.S. Patent No. 4,980,470

Applicants: Kuniyoshi MASUZAWA, et al.

Issued: December 25, 1990

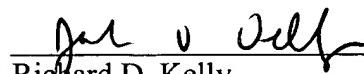
For: 8-ALKOXYQUINOLONECARBOXYLIC ACID AND SALTS
THEREOF

SIR:

Attached hereto for filing are the following papers:

- Letter to Correct Inventorship
- Petition for Correction of Inventorship under 37 C.F.R. § 1.324
- Form PTO-1595 w/Copy of Assignment, 2 pages, Executed (Copy)
- Statement of Kyorin Pharmaceutical Co., LTD, in Support of Petition to Correct Inventorship of Patent No. 4,980,470 Pursuant to 37 C.F.R. 1.324(b)(3)
- Statement in Support of Petition for Correction of Inventorship of Patent No. 4,980,470 under 37 C.F.R. §1.324(B)(2) by Takayoshi Ishizaki
- Statement in Support of Petition for Correction of Inventorship of Patent No. 4,980,470 under 37 C.F.R. §1.324(B)(2) by Kazuhiko Iwase
- Statement in Support of Petition for Correction of Inventorship of Patent No. 4,980,470 under 37 C.F.R. §1.324(B)(2) by Keiji Harai
- Statement in Support of Petition for Correction of Inventorship of Patent No. 4,980,470 under 37 C.F.R. §1.324(B)(2) by Kuniyoshi Masuzawa
- Statement in Support of Petition for Correction of Inventorship of Patent No. 4,980,470 under 37 C.F.R. §1.324(B)(2) by Seigo Suzue

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Richard D. Kelly

Registration No. 27,757

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)John D. Dellinger
Registration No. 50,436

DOCKET NO: 249350US



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KUNIYOSHI MASUZAWA, ET AL :
U.S. PATENT NO. 4,980,470 :
ISSUED: DECEMBER 25, 1990 :
FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
ACID AND SALTS THEREOF :

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SEP 07 2004

OFFICE OF PETITIONS

LETTER TO CORRECT INVENTORSHIP

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Attached is a Petition for Correction of Inventorship of U.S. Patent No. 4,980,470.

Mr. Kazuhiko Iwase was not named as an inventor earlier through error and without any deceptive intent, and this Petition is being filed to correct that error.

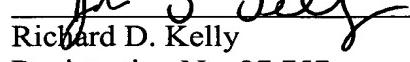
Along with the Petition, please find the required documents in support of the Petition, including:

- (1) the statement of Mr. Kuzuhiko Iwase, the inventor to be added;
- (2) the statements of Kuniyoshi Masuzawa, Seigo Suzue, Keiji Hirai, and Takayoshi Ishizaki, the currently named inventors;
- (3) the statement of Kyorin Pharmaceutical Co., Ltd., the assignee of the patent;
- (4) a credit card payment in the amount of \$130.00 for the Petition being filed herewith.

Concurrently, the assignment of Mr. Iwase's interest in the patent to Kyorin Pharmaceutical Co., Ltd., is being submitted to the Assignment Branch, a copy of which is attached herewith.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Richard D. Kelly
Registration No. 27,757

John D. Dellinger
Registration No. 50,436

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
DOCUMENTS



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET
AL.

PATENT NO. 4,980,470

ISSUED: DECEMBER 25, 1990

FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
ACID AND SALTS THEREOF

RECEIVED
SEP 07 2004
OFFICE OF PETITIONS

**PETITION FOR CORRECTION OF INVENTORSHIP UNDER
37 C.F.R. § 1.324**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a petition to request that the Commissioner issue a certificate correcting the inventorship of U.S. Patent No. 4,980,470, to add Mr. Kazuhiko Iwase as a further co-inventor. Mr. Iwase was not named as an inventor earlier through error. Such error arose without any deceptive intent on the part of Mr. Iwase.

In support of this petition, and as required under 37 C.F.R. § 1.324, petitioner hereby submits the following:

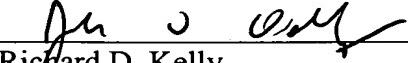
- (1) Statement of Mr. Kazuhiko Iwase pursuant to 37 C.F.R. 1.324(b)(1);
- (2) Statements of Kuniyoshi Masuzawa, Seigo Suzue, Keiji Hirai, and Takayoshi Ishizaki, the currently named inventors of U.S. Patent No. 4,980,470, pursuant to 37 C.F.R. 1.324(b)(2);
- (3) Statement of Kyorin Pharmaceutical Co., Ltd., assignee of U.S. Patent No. 4,980,470, pursuant to 37 C.F.R. § 1.324(b)(3); and
- (4) a credit card payment in the amount of \$130.00 pursuant to 37 C.F.R. § 1.324(b)(4).

Accordingly, having satisfied all of the requirements for correction of inventorship, petitioner requests a decision granting this petition to add Mr. Kazuhiko Iwase as an inventor to the '470 patent.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850


Richard D. Kelly
Attorney of Record
Registration No. 27,757

John D. Dellinger
Registration No. 50,436

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Atty Docket No.: U.S. Patent No. 4,980,470

FORM PTO-1595
06-04

RECORDATION FORM COVER SHEET
PATENTS ONLY



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Director of the United States Patent and Trademark Office. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Kuzuhiko Iwase

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of Conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: August 24, 2004

2. Name and address of receiving party(ies):

Name: Kyorin Pharmaceutical Co., Ltd.

Address: No. 5, Kanda Suragadai 2-chome, Chiyoda-ku,
Tokyo, Japan

RECEIVED

SEP 07 2004

COPY
DIVISION OF PETITIONS

Additional name(s) and address(es) attached? Yes

4. Application number(s) or patent number(s):

This document is being filed together with a new application

A. Patent Application No.(s)

07/003,822

B. Patent No.(s)

U.S. Patent No. 4,980,470

Additional numbers attached? No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total applications and patents involved: 1

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220

7. Total fee (37 CFR 3.41): \$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 15-0030
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Richard D. Kelly
Name of Person Signing

Signature

Date

Registration Number: 27,757

Total number of pages including this cover sheet: 14

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Director of the United States Patent and Trademark Office
Mail Stop Assignment Recordation Services
Alexandria, Virginia. 22313

COPY

Assignment of Application

INSERT NAMES
AND RESIDENCE
ADDRESS OF
THE INVENTORS:

WHEREAS, I (WE) Kuzuhiko Iwase of No. 266-6, Oobusuma, Showa-machi, Kitakatashika-gun, SAITAMA 344-0116
JAPAN

COPY

INSERT TITLE OF
INVENTION:

have invented certain new and useful improvements in: 8-ALKOXYQUINOLONECARBOXYLIC ACID AND
SALTS THEREOF

(Application No. 07003822 (Patent No. 4,980,470) , filed 01/16/1987 (Issued 12/25/90)), and

WHEREAS, Kyorin Pharmaceutical Co., Ltd.

INSERT NAME
AND ADDRESS OF
COMPANY OR
OTHER ASSIGNEE

(hereinafter referred to as "ASSIGNEE") having a place of business at: No. 5, Kanda Suragadai 2-chome, Chiyoda-ku,
Tokyo, Japan is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of 1940 Duke Street, Alexandria, Virginia 22314 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: Aug. 24. 2004

(Signature of Inventor)

Kazuhiko Iwase

Kazuhiko Iwase

Date: _____

(Signature of Inventor)

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
ATTORNEYS AT LAW
1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET
AL.

PATENT NO. 4,980,470
ISSUED: DECEMBER 25, 1990
FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
ACID AND SALTS THEREOF

: RECEIVED
: SEP 07 2004
: OFFICE OF PETITIONS

**STATEMENT OF KYORIN PHARMACEUTICAL CO., LTD.
IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP OF
PATENT NO. 4,980,470 PURSUANT TO 37 C.F.R. § 1.324(b)(3)**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Kyorin Pharmaceutical Co., Ltd., located at No. 5, Kanda Suragadai 2-chome, Chiyoda-ku, Tokyo, Japan, is the sole assignee of U.S. Patent No. 4,980,470. This is evidenced by the properly-filed assignment, found at Reel 004983, Frame 0330, wherein Kyorin Pharmaceutical Co., Ltd. was assigned the interests of Kuniyoshi Masuzawa, Seigo Suzue, Keiji Hirai, and Takayoshi Ishizaki, the currently named inventors of U.S. Patent No. 4,980,470. It is further evidenced by an assignment from Mr. Kazuhiko Isawe to Kyorin Pharmaceutical Co., Ltd., submitted concurrently with this statement.

Kyorin Pharmaceutical Co., Ltd. hereby agrees to the requested change of inventorship to add Mr. Kazuhiko Iwase as an inventor of U.S. Patent No. 4,980,470.

Pursuant to 37 C.F.R. 3.73(b), I certify that I am an individual empowered to act on behalf of the assignee, Kyorin Pharmaceutical Co., Ltd., and that Kyorin

Pharmaceutical Co., Ltd. is the sole assignee of the above-captioned patent. I further certify that I have reviewed all the documents in the chain of title of the above-identified patent, including the assignment to Kyorin Pharmaceutical Co., Ltd., recorded in the U.S. Patent and Trademark Office at Reel 004983, Frame 0330, and the assignment from Mr. Kazuhiko Isawe to Kyorin Pharmaceutical Co., Ltd. Having reviewed these assignments, to the best of my knowledge and belief, all of the title in the above-identified patent is in Kyorin Pharmaceutical Co., Ltd.

Signature Masaru Kanda Date Aug. 25, 2004

Name(typed) Masaru Kanda

Office or Title Manager,
Intellectual Property Group
Business Development Division
Kyorin Pharmaceutical Co., Ltd.



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET :
AL.

PATENT NO. 4,980,470 :

ISSUED: DECEMBER 25, 1990 :

FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
ACID AND SALTS THEREOF

**STATEMENT IN SUPPORT OF PETITION FOR CORRECTION
OF INVENTORSHIP OF PATENT NO. 4,980,470 UNDER
37 C.F.R. § 1.324(B)(2)**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

I am Mr. Takayoshi Ishizaki. My current address is No. 9-6, Sakurada 4-chome, Washimiya-machi, Kitakatsushika-gun, Saitama-ken, Japan. I am a co-inventor of the invention disclosed in U.S. Patent No. 4,980,470, and I am currently named as an inventor. I agree to the requested change of inventorship, in which Mr. Kazuhiko Iwase will be added as an inventor.

I declare that all statements made herein of my own knowledge are true and correct, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 35 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the '470 patent.

Takayoshi Ishizaki
Mr. Takayoshi Ishizaki

Aug. 24, 2004
Date

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET
AL.

PATENT NO. 4,980,470 :
ISSUED: DECEMBER 25, 1990 :
FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
ACID AND SALTS THEREOF

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OFFICE OF PETITIONS

**STATEMENT IN SUPPORT OF PETITION FOR CORRECTION
OF INVENTORSHIP OF PATENT NO. 4,980,470 UNDER
37 C.F.R. § 1.324(B)(1)**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

I am Mr. Kazuhiko Iwase. My current address is No. 266-6, Oobusuma, Showamachi, Kitakatsushika-gun, Saitama, Japan. I am a co-inventor of the invention disclosed in U.S. Patent No. 4,980,470. I was not named as an inventor earlier through error. This inventorship error occurred without any deceptive intention on my part.

I declare that all statements made herein of my own knowledge are true and correct, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 35 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the '470 patent.

Kazuhiko Iwase
Mr. Kazuhiko Iwase

Aug. 24, 2004
Date



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET :
AL.

PATENT NO. 4,980,470 :

ISSUED: DECEMBER 25, 1990 :

FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
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OFFICE OF PETITIONS

**STATEMENT IN SUPPORT OF PETITION FOR CORRECTION
OF INVENTORSHIP OF PATENT NO. 4,980,470 UNDER
37 C.F.R. § 1.324(B)(2)**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

I am Mr. Keiji Hirai. My current address is No. 2-1-13-502, Sakurada 4-chome, Washimiya-machi, Kitakatsushika, Saitama-ken, Japan. I am a co-inventor of the invention disclosed in U.S. Patent No. 4,980,470, and I am currently named as an inventor. I agree to the requested change of inventorship, in which Mr. Kazuhiko Iwase will be added as an inventor.

I declare that all statements made herein of my own knowledge are true and correct, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 35 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the '470 patent.

Mr. Keiji Hirai

A handwritten signature in black ink, appearing to read "Keiji Hirai".

Aug. 18, 2004
Date



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET
AL.

PATENT NO. 4,980,470

ISSUED: DECEMBER 25, 1990

FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
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OFFICE OF PETITIONS

**STATEMENT IN SUPPORT OF PETITION FOR CORRECTION
OF INVENTORSHIP OF PATENT NO. 4,980,470 UNDER
37 C.F.R. § 1.324(B)(2)**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

I am Mr. Kuniyoshi Masuzawa. My current address is No. 3-6, Koganehara 7-chome, Matsudo-shi, Chiba-ken, Japan. I am a co-inventor of the invention disclosed in U.S. Patent No. 4,980,470, and I am currently named as an inventor. I agree to the requested change of inventorship, in which Mr. Kazuhiko Iwase will be added as an inventor.

I declare that all statements made herein of my own knowledge are true and correct, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 35 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the '470 patent.

Mr. Kuniyoshi Masuzawa
Mr. Kuniyoshi Masuzawa

Aug. 12. 2004
Date



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF: MASUZAWA, ET
AL.

PATENT NO. 4,980,470

ISSUED: DECEMBER 25, 1990

FOR: 8-
ALKOXYQUINOLONECARBOXYLIC
ACID AND SALTS THEREOF

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OFFICE OF PETITIONS

**STATEMENT IN SUPPORT OF PETITION FOR CORRECTION
OF INVENTORSHIP OF PATENT NO. 4,980,470 UNDER
37 C.F.R. § 1.324(B)(2)**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

I am Mr. Seigo Suzue. My current address is No. 13-4, Aoba 4-chome, Kuki-shi, Saitama-ken, Japan. I am a co-inventor of the invention disclosed in U.S. Patent No. 4,980,470, and I am currently named as an inventor. I agree to the requested change of inventorship, in which Mr. Kazuhiko Iwase will be added as an inventor.

I declare that all statements made herein of my own knowledge are true and correct, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 35 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the '470 patent.

Seigo Suzue
Mr. Seigo Suzue

Aug. 12. 2004
Date